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ANGEL  
- review + advise  
Stam

LAW OFFICES  
GOLDMAN & ANTONETTI  
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Ref. 617.007(F)

June 29, 1988

**FEDERAL EXPRESS**

Stanley Siegel, Chief  
Hazardous Waste Facilities Branch  
US Environmental Protection Agency  
Region II - 26 Federal Plaza  
New York, NY 10278

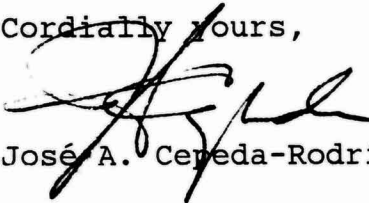
Re: Ponce Municipal Landfill

Dear Mr. Siegel:

As agreed upon in our meeting of May 24, 1988, enclosed please find an affidavit from Mr. Rick Good, District Manager, BFI of Ponce, Inc., attesting to the fact that no waste has been disposed of in the area in which Cell Number 1 has been constructed.

Since our meeting, the Puerto Rico Environmental Quality Board has approved the operation of Cell Number 1 by BFI of Ponce, Inc. as a nonhazardous landfill. Your offer of assistance in that regard was greatly appreciated.

Cordially yours,



José A. Cereceda-Rodríguez

cob  
Enclosure

cc: D. Pocze  
M. Bouley  
R. Good

## AFFIDAVIT

I, Ricky Good, of legal age, married, Vicepresident of BFI of Ponce, Inc. (BFIP), and resident of Ponce, Puerto Rico, being duly sworn hereby state as follows:

1. My name and other personal circumstances are as stated hereinabove.

2. I am currently employed as Vicepresident of BFIP and served as the District Manager of the Ponce Municipal Landfill (the Landfill) located in Ponce, Puerto Rico. From June 1, 1983 to March 1, 1987 I was employed as operation manager of the Landfill for Cecos International, Inc. (CECOS).

50.7 acres 3. The existing Landfill is comprised of 51.3 "cuerdas".

4. The Landfill was operated as a sanitary waste disposal facility by the City of Ponce under permit number RS-11 issued by the Puerto Rico Environmental Quality Board on April 25, 1980, and thereafter renewed and extended through emergency permits.

5. By virtue of a Management Agreement entered into by Cecos and the Municipality of Ponce on December 20, 1982, CECOS was contracted to operate and in fact operated the existing landfill from June 1, 1983 to March 1, 1987.

6. By virtue of an agreement entered into by BFIP and the Municipality of Ponce, on March 1, 1987, BFIP succeeded CECOS as operator of the Landfill from such date to the present.

7. I have personally been in charge of the Ponce Municipal Landfill operations since June 1, 1983, as Operations Manager under CECOS, and as Vicepresident and District Manager under BFIP.

8. The excavation of Cell Number 1 took place at a location outside the existing landfill operation, in virgin soil where no waste of any sort had been deposited. Such excavation commenced in November 1983.

9. The placement of Cell Number 1 outside the existing landfill operation was documented by the Law Engineering Testing Company, who reported that no waste had been placed no closer than approximately two hundred and fifty feet from the Cell Number 1 (Exhibit 1 and 2).

10. The analysis of the borings in the area of Cell Number 1, specifically borings C-39 and C-87, showed that there was no waste, either hazardous or non-hazardous, deposited at the site of Cell Number 1 (Exhibit 3).

11. From the time of the borings conducted by Law Engineering Testing Company to the present, no waste of any sort has been deposited in Cell Number 1.

12. The analysis of the borings north and east of Cell Number 1, specifically borings C-39, C-41, C-42, C-67 and C-50, show the edge of the operating landfill, as those borings all

what about  
borings C31, C33  
C37, C38?

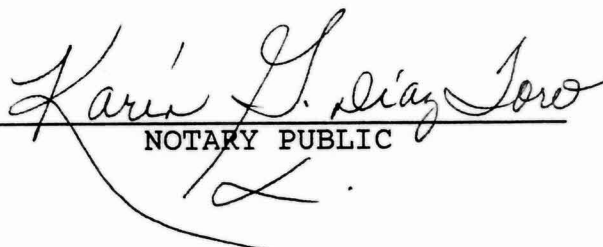
demonstrated the lack of waste at those locations (Exhibit 2 and 3).

13. All the facts hereinabove stated are true and of my personal knowledge.

  
\_\_\_\_\_  
RICK GOOD

Affidavit No. 020

Sworn and subscribed to before me by Ricky Good, of the personal circumstances stated hereinabove, personally known to me, in San Juan, Puerto Rico, this 28<sup>th</sup> day of June, 1988.

  
\_\_\_\_\_  
NOTARY PUBLIC



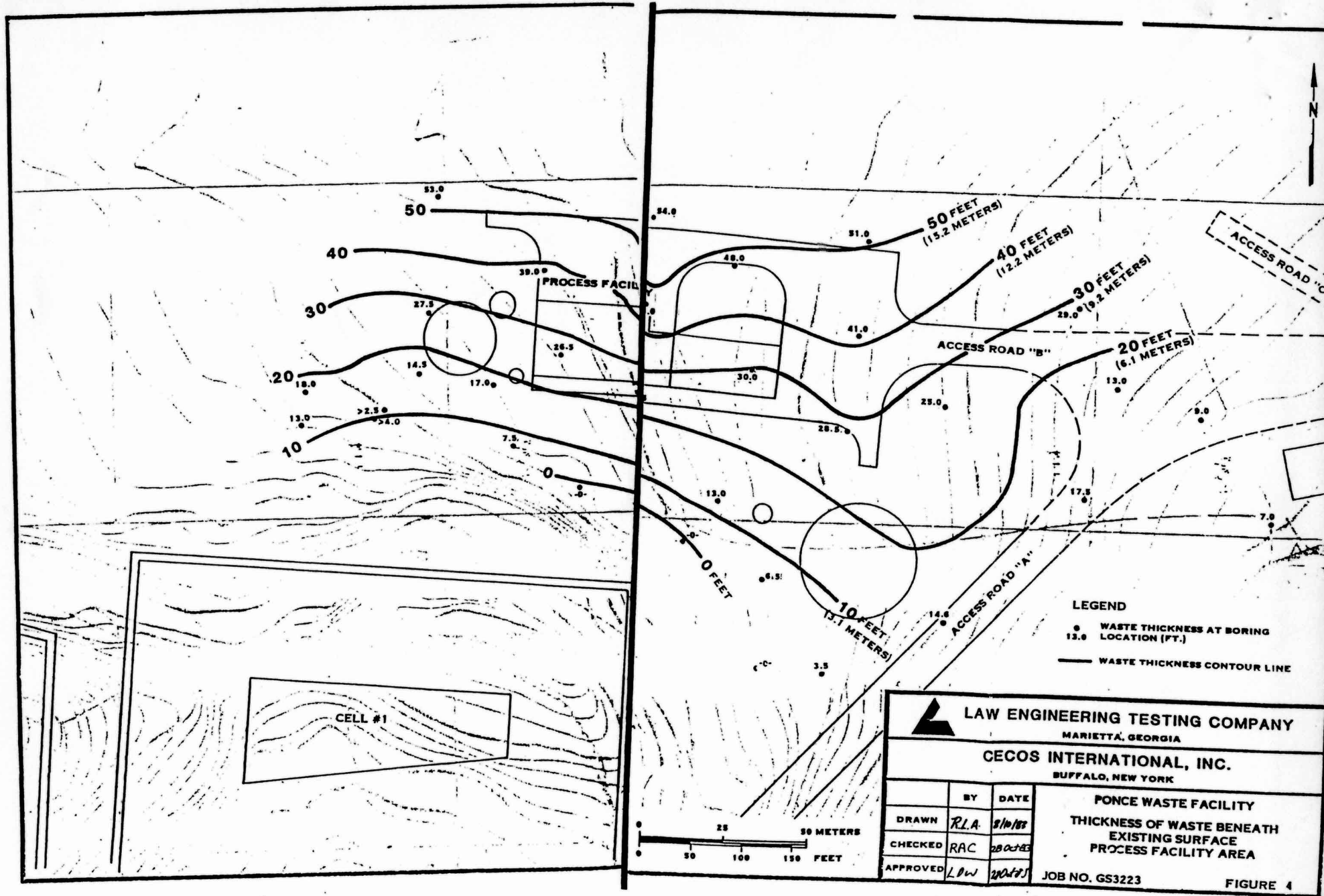
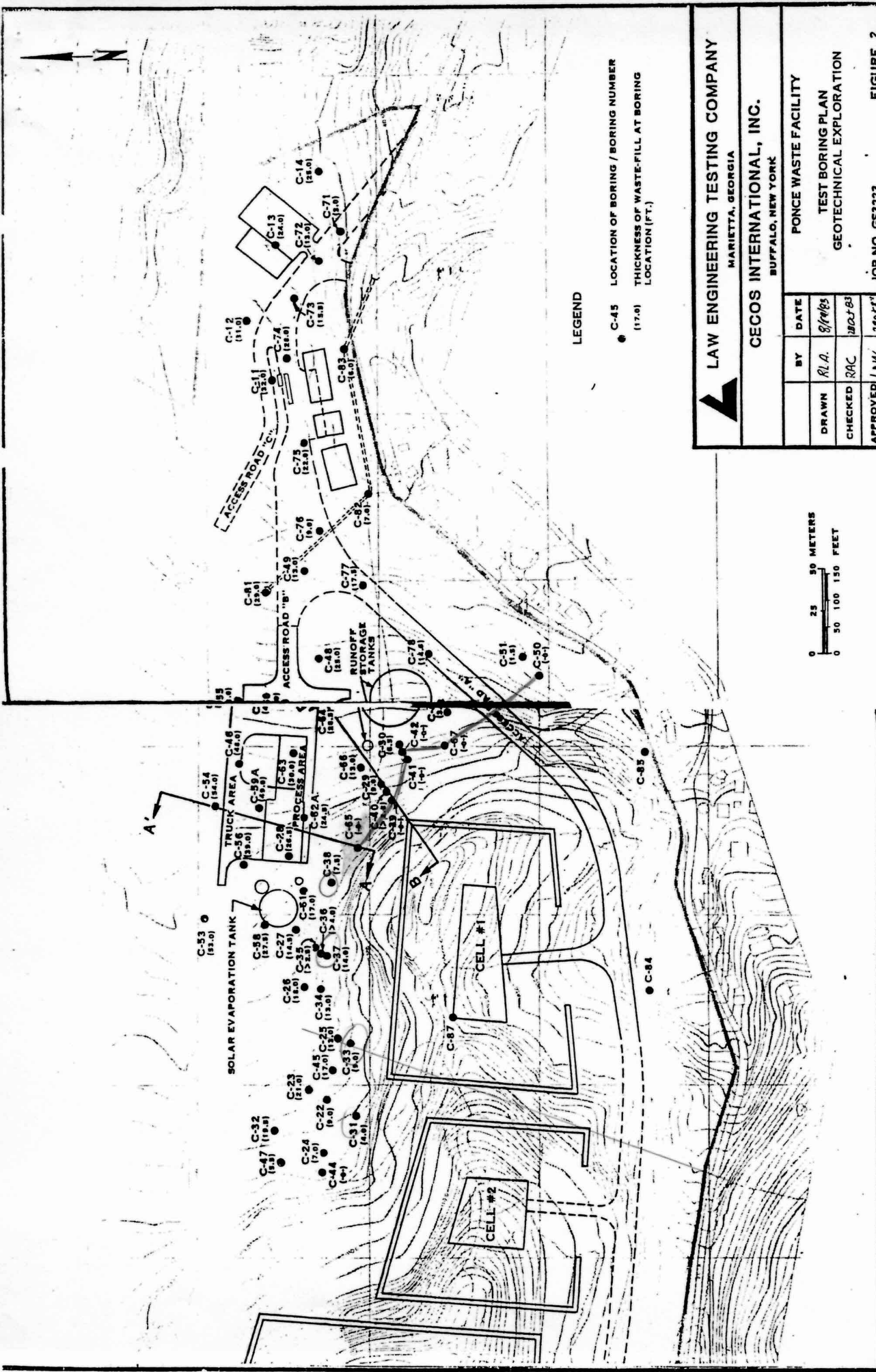


EXHIBIT I





LEGEND

- C-45 LOCATION OF BORING / BORING NUMBER
- (17.0) THICKNESS OF WASTE-FILL AT BORING LOCATION (FT.)

**LAW ENGINEERING TESTING COMPANY**  
MARIETTA, GEORGIA

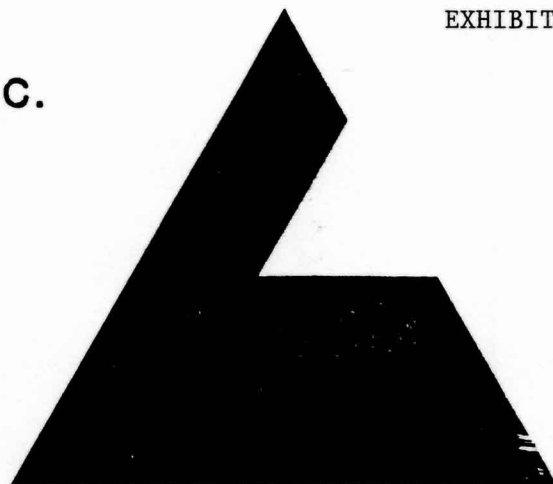
**CECOS INTERNATIONAL, INC.**  
BUFFALO, NEW YORK

PONCE WASTE FACILITY	
BY	DATE
DRAWN	RLA 8/14/83
CHECKED	RAC 10/2/83
APPROVED	LJW 11/2/83

TEST BORING PLAN  
GEOTECHNICAL EXPLORATION

JOB NO. GS3223      FIGURE 2

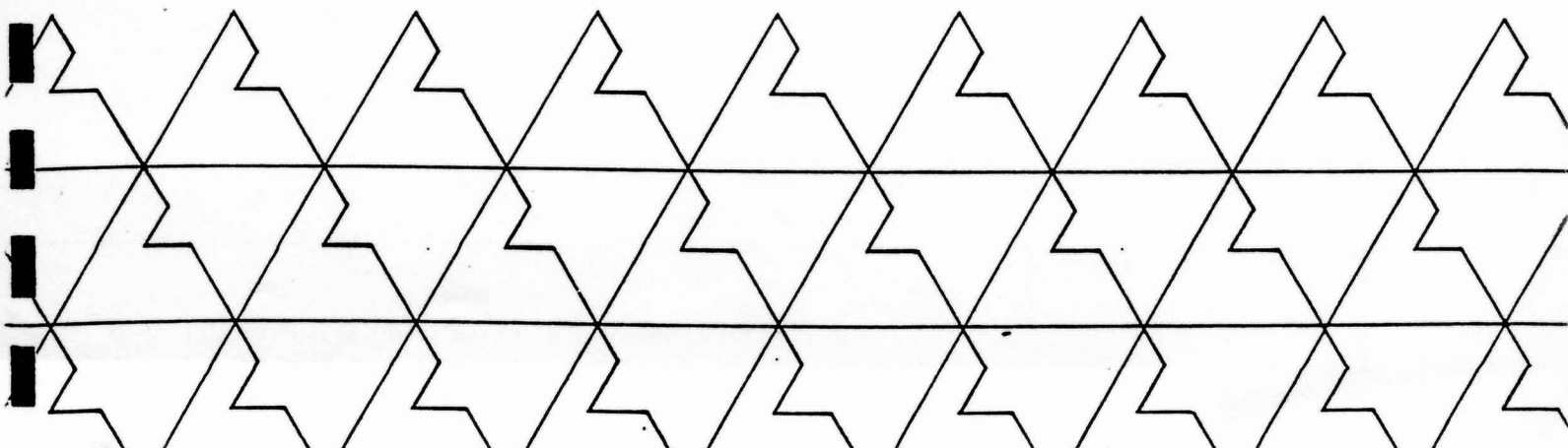
CECOS INTERNATIONAL INC.  
BUFFALO, NEW YORK



**LAW ENGINEERING  
TESTING COMPANY**

**PONCE WASTE FACILITY  
GEOTECHNICAL EXPLORATION  
FINAL REPORT**

NOVEMBER 3, 1983



SUMMARY OF BORINGS

<u>BORING NUMBER</u>	<u>THICKNESS OF WASTE (FT)</u>	<u>TOTAL DEPTH OF BORING</u>
C-22	9.0	13.5
C-23	21.0	30.0
C-24	7.0	13.5
C-25	13.0	18.0
C-26	18.0	24.0
C-27	14.5	19.0
C-28	26.5	30.5
C-29	9.0	15.5
C-30	6.5	13.5
C-31	4.0	5.0
C-32	19.5	25.5
C-33	9.0	15.5
C-34	13.0	20.0
C-35	>2.5	2.5
C-36	>4.0	4.0
C-37	14.0	15.5
C-38	7.5	10.5
C-39	-0-	5.5
C-40	>2.5	2.5
C-41	-0-	4.5
C-42	-0-	4.5
C-43	3.5	8.5
C-44	-0-	5.5
C-45	17.0	23.5
C-46	48.0	54.5
C-47	5.5	10.0
C-48	25.0	30.5
C-49	13.0	19.5
C-50	-0-	5.0



# SUMMARY OF BORINGS

(CONTINUED)

<u>BORING NUMBER</u>	<u>THICKNESS OF WASTE (FT)</u>	<u>TOTAL DEPTH OF BORING</u>
C-51	1.5	5.5
C-52	Not Drilled	
C-53	53.0	60.5
C-54	54.0	70.5
C-55	51.0	60.5
C-56	39.0	45.5
C-57	Not Drilled	
C-58	27.5	40.5
C-59	>6.0	6.0
C-59A	49.0	65.5
C-60	41.0	50.5
C-61	17.0	30.5
C-62	>13.0	13.0
C-62A	24.5	40.5
C-63	30.0	40.5
C-64	28.5	34.8
C-65	-0-	15.0
C-66	13.0	25.0
C-67	-0-	10.0
C-68	Not Drilled	
C-69	Not Drilled	
C-70	Not Drilled	
C-71	4.0	14.8
C-72	13.5	20.5
C-73	15.5	24.8
C-74	28.0	35.5
C-75	22.0	29.1
C-76	9.0	15.0
C-77	17.5	25.5
C-78	14.6	20.4
C-79	Not Drilled	
C-80	Not Drilled	

SUMMARY OF BORINGS  
(CONTINUED)

<u>BORING NUMBER</u>	<u>THICKNESS OF WASTE (FT)</u>	<u>TOTAL DEPTH OF BORING</u>
C-81	29.0	35.5
C-82	7.0	15.5
C-83	6.0	15.25
C-84	-0-	30.0
C-85	-0-	28.5
C-86	Not Drilled	
C-87	-0-	80.5



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## BROWNING-FERRIS INDUSTRIES

P.O. BOX 3151 • HOUSTON, TEXAS 77253 • 713/870-8100

July 1, 1988

Stanley Siegel, Chief  
Hazardous Waste Facilities Branch  
United States Environmental Protection Agency, Region II  
26 Federal Plaza  
New York, NY 10278

FEDERAL EXPRESS

RE: Municipal Landfill of Ponce  
EPA I.D. Number: PRD 980594709

Dear Mr. Siegel:

BFI of Ponce, Inc. (BFIP) is in receipt of your letter of June 21, 1988 and generally concurs with your characterization of the items agreed upon by BFIP and the United States Environmental Protection Agency, Region II (U.S. EPA) at our meeting on May 24, 1988. However, there are several items discussed in your letter that BFIP believes deserve clarification. These items relate to the status of the co-disposal area and are addressed below.

As at the May 24 meeting, BFIP was unable to demonstrate to the satisfaction of the U.S. EPA that hazardous waste had not been accepted at the Municipal Landfill of Ponce (the Facility) between November 19, 1980 and CECOS International, Inc.'s (CECOS) initiating operation of the Facility in 1983, BFIP agreed that a post-closure permit application would be submitted for the Facility by the end of November 1988.

The Facility is currently being operated as a sanitary landfill and, as such, is a critical element of the solid waste management system for the Municipality of Ponce. BFIP intends to continue the operation of the sanitary landfill during and after the completion of post-closure activities at the Facility. This plan was agreed upon by the U.S. EPA on May 24.

In preparation for the submission of the post-closure permit application, BFI agreed to evaluate certain aspects of the Facility. The information obtained during this evaluation would be incorporated into the application and would serve as the basis for determination of appropriate post-closure compliance requirements for the Facility. Specific studies requested by the U.S. EPA and agreed to by BFIP include the following:

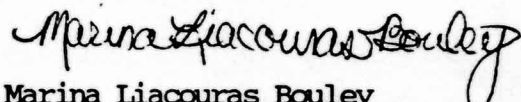
1. Landfill Operation Practice With Respect to Cover Material and Placement of Waste.
2. Plan for Soil Sampling and Testing of Existing Cover Material.
3. Plan for Sampling and Testing of Soils Beneath the Landfill.
4. Hydrogeologic Site Report.
5. Ground Water Monitoring Plan for the Municipal Landfill.

Work plans for these studies will be submitted to the U.S. EPA by July 25, 1988.

Representatives from Golder Associates, Inc., the consultant engaged by BFIP to conduct the evaluation of the Facility, have been and will continue to be in contact with U.S. EPA's Hazardous Waste Facilities Branch as the work plans are being prepared, so that the plans will be as close to U.S. EPA's specifications as possible by the date of submission. Although the subtitle D regulations under RCRA are not yet final, and the most recent version is unavailable to BFIP in draft form, the spirit of those regulations will be carried out in the post-closure program and in the continued operation of the Facility.

BFIP is interested in continuing to cooperate with the U.S. EPA throughout the post-closure process. If you have any questions or comments on this matter, do not hesitate to contact me at (713) 870-7059.

Very truly yours,



Marina Liacouras Bouley  
Attorney for BFI of Ponce, Inc.

MLB/ved

cc: Doug Pocze